

EXTENSIONS OF REMARKS

INTRODUCTION OF LEGISLATION TO HELP THE NATION'S SAFETY NET HOSPITALS: CARVE-OUT OF DISPROPORTIONATE SHARE HOSPITAL PAYMENTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. RANGEL. Mr. Speaker, I am today introducing legislation to give equitable treatment to the Nation's safety-net hospitals, the hospitals which serve a disproportionate share of the Nation's uninsured and low-income. I am pleased to be joined by Representatives STARK, QUINN, WALSH, and 26 other Members.

Our bill "carves out" Disproportionate Share Hospital (DSH) payments from the amount we give HMOs and pays those DSH funds directly to DSH hospitals when managed care company patients use a DSH hospital.

This legislation completes a process well-started in the Balanced Budget Act. In the just-enacted Balanced Budget Act, we "carved out" from what we pay HMOs the amount attributable to the cost of Graduate Medical Education (GME) and provided that, when an HMO's patient actually uses a GME Hospital, that hospital will be directly reimbursed by Medicare for its extra GME expenses. This provision corrects a serious problem facing our Nation's teaching and research hospitals: HMOs get paid as if they use these hospitals, but in many (but not all) cases, HMOs avoid these more expensive hospitals. The "carve out" will prevent windfalls to HMOs and permit the GME hospitals to compete fairly for HMO patients.

The same logic that supported the GME carve-out supports the DSH carve-out. Though the Senate Finance and Commerce Committees' bills provided for both a DSH carve-out and a GME carve-out, the DSH carve-out was dropped from the final BBA. There is no logic to not applying the same principle to DSH payments.

Our Nation's safety-net hospitals desperately need these extra payments—and HMOs which do not use DSH hospitals do not deserve the extra amount. As data from 1995 show, the Nation's public hospitals in over 100 of America's largest metropolitan areas are the key safety-net hospitals. These hospitals make up only about 2 percent of all the Nation's hospitals, yet they provide more than 20 percent of all uncompensated care and they rely on Medicare and Medicaid to fund more than half of that uncompensated care. In 1995, 67 of these safety-net hospitals reported incurring \$5.8 billion in uncompensated care costs (defined as bad debt and charity care)—an average of over \$86 million per hospital. For these institutions, bad debt and charity care represented 25 percent of their total gross charges. And this disparity is only getting worse. Private and for-profit hospitals are increasingly competing for Medicaid patients (who at least bring with them some govern-

ment reimbursement) and leaving the totally uninsured to these disproportionate share safety-net hospitals. These safety-net hospitals have the worst total margins (i.e., "profits") in the hospital industry. Overall, hospital margins from Medicare payments are at record highs and this fact justified the Medicare payment update freeze and reductions which were included in the Balanced Budget Act. But the Prospective Payment Assessment Commission estimates that in 1997 the Nation's major teaching hospitals (who also tend to be DSH hospitals) will have the lowest total margins of any hospital category: 3.9 percent—a thin and shrinking margin that will surely turn negative in the next economic downturn. The enactment of this legislation could help improve these margins and preserve these hospitals.

Providing a DSH carve-out will also help these hospitals compete equally for managed care patients. Failing to provide a carve-out serves as an incentive to managed care plans not to use these more expensive hospitals. A recent White Paper from the National Association of Public Hospitals and Health Systems entitled "Preserving America's Safety Net Hospitals" explains why the DSH carve-out should be legislated:

The current methodology for distributing Direct Graduate Medical Education, Indirect Medical Education, and DSH payments is seriously flawed in the Medicare managed care context. For Medicare patients enrolled in managed care, these supplemental payments are incorporated into the average adjusted per capita cost (AAPCC) which is the capitation payment made to managed care plans. The plans do not necessarily pass these payments along to the hospitals which incur the costs that justify the payments. In fact, some plans receive the payments and do not even contract with such hospitals. As Medicare increases the use of capitated risk contracting, the amount of DGME, IME, and DSH funds that go to teaching hospitals will diminish considerably unless this payment policy is changed. In essence, payments intended to support the costs of teaching or low income care are being diverted from the hospitals that provide the care to managed care plans that are not fulfilling this mission. For this reason, the GME and DSH payments must be carved out of the AAPCC rate and made directly to the hospitals that incur those costs.

The carve-out for graduate medical education was wisely included in the Balanced Budget Act. It is logical, appropriate, and important that we complete the work and carve out the DSH payments.

I want to thank the Greater New York Hospital Association, the American Hospital Association, and the Healthcare Association of New York State (HANYS) for their support of the bill in the 105th Congress (H.R. 2701), and we look forward to working with them on the issue in the 106th Congress.

IN CELEBRATION OF THE 100TH ANNIVERSARY OF THE DUNSMUIR HOUSE AND GARDENS IN OAKLAND, CA

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Ms. LEE. Mr. Speaker, I rise in celebration of the 100th anniversary of the establishment of the Dunsmuir House and Gardens in Oakland, CA. This milestone will be commemorated with a year-long series of special events including lectures, concerts, and exhibits, beginning on Thursday, March 11, 1999, to celebrate the Dunsmuir estate and the history of the City of Oakland.

The Dunsmuir House and Gardens is a 50-acre early 20th century summer estate located in the hills of northeast Oakland. The estate features a 37-room, 16,224 square foot neoclassical revival mansion, carriage house, and barn, as well as additional farm buildings and a beautifully manicured landscape.

The estate was built by Alexander Dunsmuir as a wedding gift for his bride Josephine Wallace. In 1906, the estate was purchased by L.W. Hellman and later sold to the City of Oakland in the early 1960s. In 1971, the Dunsmuir House & Gardens, Inc. (DHGI), was formed to provide public access to the estate and grounds.

The Dunsmuir House & Gardens, Inc., is a non-profit organization with over 200 volunteers responsible for the restoration, preservation, and management of the Dunsmuir Estate. Throughout the year, DHGI presents several multi-cultural events, tours, and educational programs that provide opportunities for the public to enjoy the estate.

The mission of DHGI is to preserve and restore the buildings and grounds while maintaining their historic character; to interpret the valuable historical, cultural, architectural, and horticultural resources for the estate during the period of 1900 to 1910; to operate and maintain the estate for the enjoyment and education of the public; and to encourage the community's use of the property while maintaining a balance between site use and preservation.

The Dunsmuir House has been designated as a National Historic Site by the United States Department of the Interior and has been placed on the California Historic Register by the California Office of Historic Preservation. The Dunsmuir House is also designated as a Historic Landmark by the City of Oakland.

Throughout this centennial celebration, the Dunsmuir Estate will be alive with new construction and preservation projects. A new Garden Pavilion will be constructed in 1999, featuring a ballroom and meeting space which will accommodate up to 299 guests. During the construction of the new Garden Pavilion, a Garden Tent will also be installed on the estate.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

In order to preserve, protect, and restore the Dunsmuir estate, DHGI relies on memberships and financial donations as well as donations and loans of furniture, art, collectibles, books and clothing from the turn-of-the-century.

The Dunsmuir House is truly a source of civic pride and a valuable resource for the community, and I am excited to join in the celebration of the 100th anniversary of its establishment.

THREE-MONTH EXTENSION OF RE-ENACTMENT OF CHAPTER 12, TITLE 11, UNITED STATES CODE

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 9, 1999

Mrs. MINK of Hawaii. Mr. Speaker, I rise in strong support of H.R. 808, the Chapter 12 Farm Bankruptcy Bill, of which I am a cosponsor.

During the farm crisis of the 1980's, Congress recognized that the bankruptcy code failed to address the needs of most family farmers. In an effort to fill this void, Congress in 1986 enacted Chapter 12 of the bankruptcy code providing relief designed specifically for family farmers. Chapter 12 enabled family farmers to reorganize their debt and continue to operate, rather than having to liquidate, when they declared bankruptcy.

Chapter 12 is scheduled to expire in 3 weeks, on April 1, 1999. The Chapter 12 Farm Bankruptcy Bill, will extend Chapter 12 of the bankruptcy code for 3 additional months and continue this much needed bankruptcy option until it can be made permanent with the bankruptcy reform legislation that will be heard later this year.

Family farmers, the backbone of our country, deserve an opportunity to reorganize their debts and continue operating after they have declared bankruptcy. I support H.R. 808 and urge it's immediate passage.

TRIBUTE TO THE LATE ROBERT HAWTHORNE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, today I pay tribute to Mr. Robert J. Hawthorne who passed away on February 19, 1999. Mr. Hawthorne was a motivator, educator, and served as a positive role model for many of the youths in his community.

Mr. Hawthorne received his early education at Jackson Lanier High School. Upon completion, he entered Tougaloo College, my alma mater, in Tougaloo, MS. Mr. Hawthorne's stay at Tougaloo was temporarily put on hold in order for him to serve his country in the United States Army. After being discharged from the service, he returned to Tougaloo College and received his degree.

In the early 1960's, Mr. Hawthorne moved to the Delta where he embarked on a 36-year teaching and coaching career in the Hollandale School District in Hollandale, MS.

The highlight of Mr. Hawthorne's career came when he was inducted into the Mississippi Association of Coaches Hall of Fame. Over the 36-year span, Mr. Hawthorne compiled a football record of 154-110-13 including several conference and district championships. In addition to coaching football, Mr. Hawthorne contributed to the boys and girls basketball teams and the boys and girls track teams. The fruits of Mr. Hawthorne's labor of love have resulted in his athletes going on to become doctors, lawyers, teachers, politicians and successful business persons.

Mr. Speaker, Mr. Hawthorne was truly an asset to the Second Congressional District of Mississippi. He served as a pillar of strength and hope for young people in the Mississippi Delta. If there ever was an example for a role model, Mr. Hawthorne would certainly fit the bill. He will be surely missed by all.

CONTINUATION OF AID DENIAL FOR TURKEY

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. PORTER. Mr. Speaker, I want to express my support for the continuation of current U.S. Policy regarding economic and military assistance to the Government of Turkey.

Over the past decade, I have worked tirelessly, as a member of the House Appropriations Committee to end the practice of providing scarce U.S. foreign assistance dollars to abusive governments around the world. Turkey is one example where sustained action by concerned Members of Congress has had an important impact. In 1995, despite a deplorable human rights record and consistently poor relations with its neighbors, Turkey was the third largest recipient of U.S. foreign assistance. Through the efforts of Congressman ANDREWS and many other concerned Members, we were able to end direct assistance to Turkey in fiscal year 1999. Today, I call upon Congress to maintain this policy as we begin working on the appropriations bills for the coming fiscal year.

The U.S. State Department and numerous non-governmental organizations both in and outside Turkey, have compiled a thorough record of the serious human rights problems that persist in Turkey to this day. The international community has continuously expressed dismay with Turkey's refusal to withdraw troops from Cyprus, its total rejection of any political solution to the Kurdish problem, and its ongoing mistreatment of the Kurds and other minority groups. Unfortunately, Turkey has done little to address these problems or move any closer to the standards of behavior that are expected of a country which desires a place in Europe and in the community of democratic nations.

I regret that the Turkish government has refused to accept responsibility for or take steps to correct the problems that hold Turkey back from its potential positive role in the region and the world. Until such time as that government does make a genuine effort to address these serious issues, the U.S. Congress must continue to send a strong message by refusing to permit U.S. taxpayer funds to be squandered on an abusive government that refuses

to conform itself to the basic international standards that we hold dear. I do not always agree with the policies of the Administration when it comes to Turkey, but I am pleased to note that there was not a request for economic or military assistance for Turkey in the President's budget for Fiscal Year 2000. I am pleased that the Administration has finally come around to the view shared by a majority of the Members of the House of Representatives on this issue, and I am hopeful that this signals a new willingness on the part of the Executive Branch to work with Members on a more constructive approach to improving Turkey's human rights practices.

HONORING ARTHUR O. EVANS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

Mr. KILDEE. Mr. Speaker, I stand before you today to recognize the accomplishments of a man who has made it his life's work to protect and defend human dignity, and to ensure the safety of our streets for our citizens and our children. On March 12, friends and family will gather to honor the career of Arthur O. Evans, who is retiring after more than 30 years in law enforcement.

It is difficult to imagine what the Flint, MI community would be like had it not been for the influence of Art Evans, an influence which began after he joined the Flint Police Department, following the end of his tenure as a member of the U.S. Air Force Air Police. Art began his career as a police officer in 1968, and rose through the ranks becoming a sergeant in 1974 and a lieutenant in 1984. During his tenure with the Flint police, Art served in divisions such as the Criminal Investigation Bureau, Neighborhood Foot Patrol, and the Inspection Bureau. During this time, Art also attended Flint Junior College and Michigan State University, earning degrees in Police Administration, Criminal Justice, and Criminal Justice Education and Administration. For over 25 years, he also worked as a Criminal Justice instructor at the University of Michigan-Flint, Saginaw Valley State University, and Mott Community College. In February 1985, Art was appointed Undersheriff of Genesee County, thereby giving him a larger jurisdiction and a greater opportunity for public service.

Art has often been involved in groups such as the Genesee County Association of Chiefs of Police, Flint Area Crime Stoppers, National Organization of Black Law Enforcement Executives, and the International Association of Chiefs of Police. He has worked to enhance the quality of life for his constituents through his involvement in groups such as Genesee County Violence Prevention Coalition, Mott Community College Criminal Justice Advisory Board, and the National Council on Alcoholism.

Art has many times stepped from behind his badge through his work with the Boy Scouts of America, Bishop International Airport Authority, and the YMCA. He has been General Chairperson for the United Negro College Fund in Genesee County, President of the Urban League of Flint Board of Directors, and President of the Flint Board of Education.

Mr. Speaker, many people in the Flint area, myself included, have greatly benefitted from